

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

KELLY T. MILLER,)
Plaintiff,)
v.) **JUDGMENT**
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
Defendant.)
No. 7:09-CV-115-FL

Decision by Court.

This action came before the Honorable Louise W. Flanagan, Chief United States District Judge, for consideration of the parties' cross-motions for judgment on the pleadings and the memorandum and recommendation entered by the United States Magistrate Judge.

IT IS ORDERED, ADJUDGED AND DECREED in accordance with the court's order entered September 21, 2010, that plaintiff's motion for judgment on the pleadings is granted and defendant's motion for judgment on the pleadings is denied. This matter is remanded to the Commissioner for further proceedings consistent with the court's order.

This Judgment Filed and Entered on September 22, 2010, and Copies To:

Barbara von Euler (via CM/ECF Notice of Electronic Filing)
Robert K. Crowe (via CM/ECF Notice of Electronic Filing)

September 22, 2010

DENNIS P. IAVARONE, CLERK

/s/ Christa N. Baker

(By) Christa N. Baker, Deputy Clerk